



3761

TRANSMITTAL LETTER			Case No. 659/928
Serial No. 10/005,522	Filing Date December 3, 2001	Examiner Dennis Ruhl	Group Art Unit 3761
Inventor(s) Paul T. Van Gompel et al.			
Title of Invention SANITARY NAPKIN WITH GARMENT ATTACHMENT PANELS			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449, and 13 cited references.

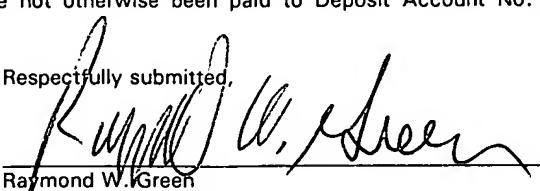
- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

RECEIVED
JUN 10 2003
TECHNOLOGY CENTER R3700

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 42 =			x \$84 =	
First Presentation of Multiple Dep. Claim					+ \$140 =			+ \$280 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$180.00 to cover the filing fee for the Information Disclosure Statement is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Raymond W. Green
Registration No. 24,587
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 27, 2003.

Date: May 27, 2003 Signature: 

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450, on May 27, 2003.



#9

RECEIVED

JUN 10 2003

TECHNOLOGY CENTER R3700

RAYMOND W. GREEN
Registered Representative

Signature

Date of Signature: May 27, 2003

PATENT

BHG&L Case 659/928

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Paul T. Van Gompel et al.	:	K-C Docket 9733.5
		:	
Serial No.:	10/005,522	:	Group Art Unit 3761
		:	
Filed:	December 3, 2001	:	Examiner: Dennis Ruhl
		:	
For:	SANITARY NAPKIN	:	
	WITH GARMENT	:	
	ATTACHMENT PANELS	:	

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In conjunction with the examination of this Application, the Examiner is requested to consider the following references:

05/30/2003 CNGUYEN 00000129 10005522

01 FC:1806

180.00 OP

U.S. PATENTS

<u>Patent No.</u>	<u>Issued</u>	<u>Inventor</u>
5,092,860	03/1992 (effective U.S. filing date September 21, 1989)	Pignuel
5,346,486	09/1994 (effective U.S. filing date November 1, 1989)	Osborn
5,354,400	10/1994 (effective U.S. filing dates October 1, 1991, and November 1, 1989)	Lavash.
5,413,569	05/1995 (effective U.S. filing date November 15, 1993)	Yamamoto
5,478,336	12/1995 (effective U.S. filing date October 8, 1991)	Pignuel
5,921,975	07/1999 (effective U.S. filing date December 27, 1995)	Suzuki
6,013,062	01/2000 (effective U.S. filing date August 9, 1995)	Dilnik
6,231,554	05/2001 (effective U.S. filing date September 27, 1991)	Menard
6,387,084	05/2002 (effective U.S. filing date September 30, 1992)	Van Gompel

FOREIGN PATENT DOCUMENTS

<u>Patent No.</u>	<u>Date</u>	<u>Country</u>
0,127,103 A2	12/1984	EPO (in German, with translation)
0,347,319 A1	12/1989	EPO (in French, with translation)
WO89/02729	04/1989	WIPO (in French, no translation, but see U.S. Patent 5,478,336)

OTHER DOCUMENT

Summons to Attend Oral Proceedings on June 16, 2003, in the Appeal on the Oppositions to European Patent No. 595,047, with preliminary assessment, mailed April 2, 2003, by EPO.



RECEIVED
JUN 10 2003
TECHNOLOGY CENTER R3700

REMARKS

On October 9, 2002, an IDS was mailed (with certificate of mailing) for this Application, together with an amendment, terminal disclaimer and request for extension of time. These papers appear (per post card and PAIR) to have reached the PTO Mail Room on October 15, 2002, and (per PAIR) to have been forwarded to the Examiner on May 16, 2003.

In the October 9, 2002, IDS, Applicants cited the following references as having no translation available:

EPA 0,127,103 A2	12/1984
EPA 0,314,535 A1	05/1989
EPA 0,347,319 A1	12/1989
EPA 0,360,680 A2	03/1990

Translations of EPA 0,127,103 A2 and EPA 0,347,319 A1 were later found, and were enclosed with a Supplemental IDS mailed (with certificate of mailing) on October 24, 2002. The Supplemental IDS mailed October 24, 2002, appears (per post card) to have reached the PTO Mail Room on October 30, 2002, but (per PAIR) NOT to have been yet forwarded to the Examiner. Further investigation reveals an inadvertently erroneous Serial No. (10/005,552 instead of 10/005,522) was applied to the Supplemental IDS mailed October 24, 2002. Accordingly, the references are re-cited.

EPA 0,127,103 also appears to correspond to German Application 3,319,421, of record (with translation).

In addition, although no translations *per se* of EPA 0,314,535 A1 and EPA 0,360,680 A2 are available, it appears that these Applications correspond to (a) U.S. Patent 5,478,336 and PCT Publication WO89/02729 and (b) U.S. Patent 5,092,860, respectively.

The papers previously supplied include copies of papers from two European Opposition proceedings. In the Opposition to the grant of European Patent 0,590,675 / 93 115,848.9, as previously advised, the Patent was maintained with modified claims by decision dated July 19, 2000. Two of the opponents appealed. An oral hearing in the Appeal has now been scheduled for June 16, 2003. A copy of the Summons to the Oral Hearing, with additional substantive comments, is among the documents now cited.

In the Summons to the Oral Hearing, the patentee and opponents were invited to file any additional pre-hearing written comments by May 16, 2003. Patentee did not do so, and it does not appear that the opponents did so.

In addition, several other references are now cited, for the Examiner's consideration.

Copies of the references now cited, and a Form PTO-1449 for the Examiner to initial to indicate review of the cited documents, are enclosed.

Respectfully submitted,



Raymond W. Green
Reg. No. 24,587
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
312-321-4200

May 27, 2003